

BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

DOCKET NO. 2008 - ____-W

IN RE: Petition of the Office of Regulatory)	PETITION OF THE OFFICE OF
Staff for a Declaratory Order)	REGULATORY STAFF FOR AN
Against Rural Water, Inc. Requiring)	ORDER REQUIRING THE
the Posting Of a Performance Bond)	POSTING OF A PERFORMANCE
and Filing Of Required Reports)	BOND AND FILING OF REQUIRED REPORTS
_____)	

The Office of Regulatory Staff, by filing this petition, would respectfully show and request of the Commission:

1. That the Public Service Commission of South Carolina ("the Commission") is a state agency constituted pursuant to the laws of the State of South Carolina with its business offices located in Columbia, South Carolina; that the Commission is responsible for the regulation of water and wastewater utilities operating for compensation as set forth in S.C. Code Ann. §58-5-10 et seq. (Supp. 2007); that the Office of Regulatory Staff ("ORS") is charged with the duty to protect the public interest pursuant to S.C. Code Ann. §58-4-10 (Supp. 2007).

2. That Warner Water Works ("Warner") was granted a Certificate of Public Convenience and Necessity by the Commission on September 14, 1983 under Docket No. 83-212-W in Order No. 83-584 to provide water service to 164 residential customers in the Pinehurst subdivision in Greenwood and Abbeville Counties, South Carolina. At some date which is unknown to the ORS, Warner transferred ownership or changed its name to Rural Water, Inc. ("Rural Water"). Upon information and belief, the parties did not seek the Commission's approval for the transfer pursuant to S.C. Code Ann. Regs. 103-504 and 103-704 (Supp. 2007) or for a name change.

3. Rural Water currently provides service to the customers in Pinehurst under Warner's Certificate of PC&N. At some date which is unknown to ORS, Rural Water also began providing service to the Harless Seymour subdivision under Warner's Certificate.

4. That as of May 1, 2008, Rural Water had not posted a performance bond for the operation of the water system serving the Pinehurst and Harless Seymour subdivisions. Rural Water has thus failed to comply with the requirements set forth in S.C. Code Ann. §58-5-720 (Supp. 2007) and 26 S.C. Code Regs.103-712.3 (Supp. 2007). Further, Rural Water has failed to file an annual report for 2005 and 2007 concerning the operation of the water system as required under 26 S.C. Code Regs.103-712.1 (1976).

5. That the Commission has jurisdiction over Rural Water pursuant to S.C. Code Ann. §58-5-10 et seq. (Supp. 2007). Further, the Commission, before the granting of authority or consent to the operation, maintenance, or acquisition of any water utility regulated by it, shall prescribe that such utility file with the Commission a bond with sufficient surety payable to the Commission conditioned upon the provision by the utility of adequate and sufficient service.

WHEREFORE, the ORS staff prays that the Honorable Commission:

1. Order Rural Water to file, in accordance with S.C. Code Ann. §58-5-720 (Supp. 2007), a bond in an amount as required under 26 S.C. Code Regs. 103-712.3.1 (Supp. 2007).
2. Order the Respondent to comply with Commission rules and regulations and file annual reports with the Commission as mandated by 26 S.C. Code Regs. 103-712.1(Supp. 2007).
3. For any additional action or relief which the Commission may deem necessary or proper.

Shealy Boland Reibold

Nanette S. Edwards

Shealy Boland Reibold

Office of Regulatory Staff

1441 Main Street Suite 300

Columbia, South Carolina 29201

Ph: (803) 737-0800

Fax: (803) 737-0895

May 29, 2008

Columbia, South Carolina

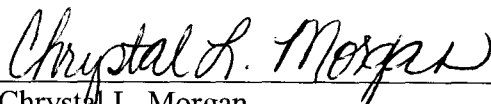
BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA

DOCKET NO. 2008-____-W

IN RE:)	
Petition of the Office of Regulatory Staff for a)	CERTIFICATE OF
Declaratory Order Against Rural Water, Inc.)	SERVICE
Requiring the Posting Of a Performance Bond)	
and Filing Of Required Reports)	

This is to certify that I, Chrystal L. Morgan, an employee with the Office of Regulatory Staff, have this date served one (1) copy of the **PETITION FOR A RULE TO SHOW CAUSE** in the above-referenced matter to the person(s) named below by causing said copy to be deposited in the United States Postal Service, first class postage prepaid and affixed thereto, and addressed as shown below:

Mr. John C. Lake, President
Rural Water, Inc.
Post Office Box 359
Ware Shoals, South Carolina 29692



Chrystal L. Morgan

May 29, 2008
Columbia, South Carolina